



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	:	Group Art Unit:
Suyker et al.	:	Unknown
	:	
Application No.:	:	Examiner:
10/805,714	:	Not Yet Assigned
	:	
Filed: March 22, 2004	:	Attorney Docket No.:
	:	DVME-03USDIV4
For: Mechanical Anastomosis System for Hollow	:	
Structures	:	

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

MAILSTOP IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and 1.97(b)(1), Applicants bring to the attention of the Examiner the documents listed on the attached Substitute Form PTO 1449. These documents are listed on the attached Substitute Form PTO 1449. No fee is believed to be due in connection with this filing since this Information Disclosure Statement is being filed prior to issuance of a first Office Action.

However, if any fee is due, the Commissioner is authorized to charge Deposit Account No. 50-0462. Moreover, please credit any overpayment to Deposit Account No. 50-0462.

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

**Date: 29 April 2004**

I hereby certify that this paper, along with any document or paper referred to as being attached or enclosed, is being sent in a pre-paid envelope first class mail to Mail Stop IDS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Carla P. Masella  
Name of person sending correspondence

Carla P. Masella  
Signature of person sending correspondence

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Substitute PTO 1449 form.

In addition, the applicants have the following co-pending patent applications to which the Examiner's attention is directed:

<u>U.S. Patent Application no.</u>	<u>Filing Date</u>
10/405,677	April 1, 2003
10/405,676	April 1, 2003
10/162,261	June 4, 2002
10/416,433	August 25, 2003
09/708,617	November 9, 2000

Please consider these co-pending applications during prosecution of the present application.

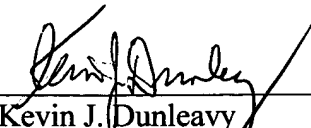
This submission does not represent that a search has been made (37 C.F.R. §1.97(g)) or that no better art exists and does not constitute an admission that each or all of the listed documents are material (37 C.F.R. §1.97(h)) or constitute "prior art". The filing of this information disclosure statement shall not be construed as an admission against interest in any matter. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

If the Examiner applies any document as prior art against any claims in the application and Applicant determined that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should one the document be applied against the claims of the present application.

Respectfully submitted,

Date: 4/29/2004

  
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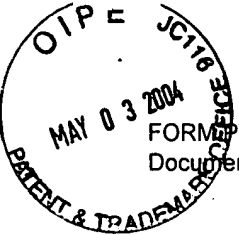
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FORM PTO-1449 Modified  
Documents Cited by Applicant

U.S. App. No.: 10/805,714  
Filed: March 22, 2004  
Group: Unknown  
Applicant: Suyker et al.  
Docket No.: DVME-3USDIV4

Examiner Initial	Item No.	Document No.	Date	Name	Class	Subclass
	1US	1,251,258	Dec-17	Magill		
	2US	1,756,670	30-Apr	Treat		
	3US	1,918,890	Jul-93	Bacon		
	4US	2,434,030	Jan-48	Yeomans		
	5US	2,453,056	Nov-48	Zack		
	6US	2,707,783	May-55	Sullivan		
	7US	3,040,748	Jun-62	Klein, et al.		
	8US	3,080,564	Mar-63	Strekopitov et al.		
	9US	3,193,165	Jul-65	Akhalaya, et al.		
	10US	3,217,557	Nov-65	Martinot		
	11US	3,252,643	May-66	Strekopytov, et al.		
	12US	3,254,650	Jun-66	Collito		
	13US	3,254,651	Jun-66	Collito		
	14US	3,269,630	Aug-66	Fleicher		
	15US	3,388,847	Jun-68	Kasulin, et al.		
	16US	3,452,615	Jul-69	Gregory		
	17US	3,494,533	Feb-70	Green, et al.		
	18US	3,519,187	Jul-70	Kapitanov		
	19US	3,552,626	Jan-71	Astafiev, et al.		
	20US	3,570,497	Mar-71	Lemole		
	21US	3,589,589	Jun-71	Akopov		
	22US	3,593,903	Jul-71	Astafiev, et al.		
	23US	3,638,652	Feb-72	Kelley		
	24US	3,692,224	Sep-72	Astafiev, et al.		
	25US	3,774,615	Nov-73	Lim, et al.		
	26US	3,805,793	Apr-74	Wright		
	27US	3,908,662	Sep-75	Razgulov et al.		
	28US	4,076,162	Feb-78	Kapitanov et al.		
	29US	4,140,126	2/20/79	Choudhury		
	30US	4,166,466	Sep-79	Jarvik		
	31US	4,233,981	11/18/80	Schomacher		
	32US	4,304,236	Dec-81	Conta, et al.		
	33US	4,319,576	Mar-82	Rothfuss		
	34US	4,325,376	Apr-82	Klieman, et al.		
	35US	4,350,160	Sep-82	Koslesov, et al.		
	36US	4,352,358	Oct-82	Angelchik		
	37US	4,366,819	Jan-83	Kaster		
	38US	4,466,436	Aug-84	Lee		
	39US	4,523,592	Jun-85	Daniel		
	40US	4,553,542	Nov-85	Schenck, et al.		
	41US	4,573,468	Mar-86	Conta, et al.		
	42US	4,576,167	Mar-86	Noiles		
	43US	4,586,503	May-86	Kirsch, et al.		
	44US	4,592,354	May-86	Rothfuss		
	45US	4,593,693	Jun-86	Schenck		
	46US	4,603,693	Aug-86	Conta, et al.		
	47US	4,607,637	Aug-86	Berggren, et al.		

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Group: Unknown  
Applicant: Suyker et al.  
Docket No.: DVME-3USDIV4

Examiner Initial	Item No.	Document No.	Date	Name	Class	Subclass
	48US	4,624,255	Nov-86	Schenck, et al.		
	49US	4,624,257	Nov-86	Berggren, et al.		
	50US	4,646,745	Mar-87	Noiles		
	51US	4,657,019	Apr-87	Walsh, et al.		
	52US	4,665,906	May-87	Jervis		
	53US	4,703,887	Nov-87	Clanton, et al.		
	54US	4,747,407	May-98	Liu, et al.		
	55US	4,800,882	Jan-89	Gianturco		
	56US	4,907,591	Mar-90	Vasconcellos, et al.		
	57US	4,917,087	Apr-90	Walsh, et al.		
	58US	4,917,090	Apr-90	Berggren, et al.		
	59US	4,917,091	Apr-90	Berggren, et al.		
	60US	4,957,499	Sep-90	Lipatov, et al.		
	61US	5,064,435	11/12/91	Porter		
	62US	5,102,417	Apr-92	Palmaz		
	63US	5,119,983	Jun-92	Green, et al.		
	64US	5,188,638	2/23/93	Tzakis		
	65US	5,197,649	Mar-93	Bessler, et al.		
	66US	5,234,456	Aug-93	Silvestrini		
	67US	5,242,457	Sep-93	Akopov, et al.		
	68US	5,250,058	10/5/93	Miller et al.		
	69US	5,258,042	Nov-93	Mehta		
	70US	5,271,543	Dec-93	Grant, et al.		
	71US	5,292,053	Mar-94	Bilotti, et al.		
	72US	5,304,220	Apr-94	Maginot		
	73US	5,324,447	Jun-94	Lam, et al.		
	74US	5,330,503	Jul-94	Yoon		
	75US	5,333,773	Aug-94	Main, et al.		
	76US	5,336,233	Aug-94	Chen		
	77US	5,348,259	Sep-94	Blanco, et al.		
	78US	5,366,462	Nov-94	Kaster, et al.		
	79US	5,366,473	Nov-94	Winston, et al.		
	80US	5,395,030	Mar-95	Kuramoto et al.		
	81US	5,403,333	Apr-95	Kaster et al.		
	82US	5,456,714	10/10/95	Owen		
	83US	5,478,354	Dec-95	Tovey, et al.		
	84US	5,489,295	2/6/96	Piplani et al.		
	85US	5,522,834	Jun-96	Fonger, et al.		
	86US	5,549,619	Aug-96	Peters, et al.		
	87US	5,554,162	Sep-96	DeLange		
	88US	5,562,728	10/8/96	Lazarus et al.		
	89US	5,620,452	Apr-97	Yoon		
	90US	5,634,936	Jun-97	Linden et al.		
	91US	5,709,335	Jan-98	Heck		
	92US	5,720,776	2/24/98	Chuter et al.		
	93US	5,732,872	3/31/98	Bolduc		
	94US	5,755,775	5/26/98	Trerotola et al.		

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Docket No.: DVME-3USDIV4

Examiner Initial	Item No.	Document No.	Date	Name	Class	Subclass
	95US	5,755,777	5/26/98	Chuter		
	96US	5,843,164	12/1/98	Frantzen et al.		
	97US	5,843,170	12/1/98	Ahn		
	98US	5,868,760	Feb-99	McGuckinns et al.		
	99US	5,879,380	Mar-99	Kalman et al.		
	100US	5,881,943	Mar-99	Heck et al.		
	101US	5,904,697	May-99	Gifford, III et al.		
	102US	5,906,607	May-99	Taylor et al.		
	103US	5,927,284	Jul-99	Borst et al.		
	104US	6,015,378	Jan-00	Borst et al.		
	105US	6,019,722	Feb-00	Spence et al.		
	106US	6,032,672	Mar-00	Taylor		
	107US	6,051,007	Apr-00	Hogendijk et al.		
	108US	6,063,021	May-00	Hossain et al.		
	109US	6,071,235	Jun-00	Furnish et al.		
	110US	6,080,175	Jun-00	Hogendijk		
	111US	6,095,997	Aug-00	French et al.		
	112US	6,110,187	Aug-00	Donlon		
	113US	6,110,188	Aug-00	Narciso, Jr.		
	114US	6,113,588	Sep-00	Duhaylongsod et al.		
	115US	6,139,492	Oct-00	Vierra et al.		
	116US	6,152,937	Nov-00	Peterson et al.		
	117US	6,165,196	Dec-00	Stack et al.		
	118US	6,176,864	Jan-04	Chapman		
	119US	6,190,353	Feb-01	Makower et al.		
	120US	6,193,734	Feb-01	Bolduc et al.		
	121US	6,241,741	Jun-04	Duhaylongsod et al.		
	122US	6,616,675	Sep-03	Evard et al.		
	123US	6,702,829	Mar-04	Bachinski et al.		
	124US	D440,304 S	Apr-04	Morales		
	125US					
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Group: Unknown

Applicant: Suyker et al.

Docket No.: DVME-3USDIV4

Examiner Initial	Item No.	Foreign Patent Document No.	Date	Country	Translation (Yes/No)
	1F	0 119 688	Sep-84	EP	
	2F	137685	Apr-95	EP	
	3F	0 384 647	29/08/90	EP	
	4F	0419 660	3/4/91	EP	Yes
	5F	0 637 454	2/8/95	EP	
	6F	0 689 806	Jan-96	EP	
	7F	0 712 614	5/22/96	EP	
	8F	1518083	12/2/68	FR	Yes
	9F	935,490	9/19/59	GB	
	10F	2108418	May-86	GB	
	11F	2038692	Jul-80	GB	
	12F	7711347	Apr-79	NL	
	13F	995765	Feb-83	SU	
	14F	1097301	Jun-84	SU	
	15F	96/10375	Apr-96	WO	
	16F	96/14808	5/23/96	WO	
	17F	98/02099	1/22/98	WO	
	18F	00/53104	9/14/00	WO	
	19F	00/74579	12/14/00	WO	
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	47F				

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List of Patents and Publications Cited by Applicant

Group: Unknown

U.S. Patent Trademark Office

Applicant: Suyker et al.

Docket No.: DVME-3USDIV4

Examiner Initial	Item No.	Other Documents (Including Author, Title, Date, Location and Pertinent Pages)
	1OD	Androsov, "New Method of Surgical Treatment of Blood Vessel Lesions," Arch. Surg. 1956;73:262-265.
	2OD	Berggren et al., "Clinical Experience with UNILINK 3M Precise Microvascular Anastomotic Device," Scand J Plast Reconstr Hand Surg. 1993;27:35-39.
	3OD	CALAFIORE, A.m., "Early Clinical Experience With a New Sutureless Anastomotic Device for Proximal Anastomosis of the Saphenous Vein to the Aorta," The Journal of Thoracic and Cardiovascular Surgery, Vol. 121, No. 5, pp. 854-8, May 2001.
	4OD	Cooper et al., "Development of the Surgical Stapler with Emphasis on Vascular Anastomosis," NY Acad. Sci, 1963;25:365-377.
	5OD	Eckstein, f.s., et al., "Sutureless Mechanical Anastomosis of a Saphenous Vein Graft to a Coronary Artery With a New Connector Device," The Lancet, pp. 931-2, Vol. 357, March 24, 2001.
	6OD	Gentili et al., "A Technique for Rapid Non-suture Vascular Anastomosis," Can J Neuro Sci, 1987;14(1):92-95.
	7OD	Goetz et al., "Internal Mammary-coronary Artery Anastomosis: A Nonsuture Method Employing Tantalum Rings," J Thorac Card Surg. 1961;41(3):378-386.
	8OD	Gottlob et al., "Anastomoses of Small Arteries and Veins by Means of Bushings and Adhesive," J Card Surg, 1968;9:337-341.
	9OD	Guyton et al., "A Mechanical Device for Sutureless Aorta-Saphenous Vein Anastomosis," Ann Thorac Surg, 1979;28:342-345.
	10OD	Holt et al., "A New Method for Microvascular Anastomosis: Report of Experimental and Clinical Research," The American Surgeon, 1992;58(12):722-727.
	11OD	Holt et al., "A New Technique for End-to-end Anastomosis of Small Arteries," Surg Forum, 1960;11:242.
	12OD	Inokuchi, "A New Type of Vessel-suturing Apparatus," AMA Arch Surg, 1958;77:954-957.
	13OD	Inokuchi, "Stapling Device for End-to-side Anastomosis of Blood Vessels," Arch Surg, 1961;82:27-31.
	14OD	Kirsch et al., "A New Method for Microvascular Anastomosis: Report of Experimental and Clinical Research," American Surgeon, 1992;58:722-727.
	15OD	Schumacker et al., "A New Technique for End-to-end Anastomosis of Small Arteries," Surgical Forum, 1960;11:242-243.
	16OD	Lanzetta et al., "Long-term Results of 1 Millimeter Arterial Anastomosis Using the 3M Precise Microvascular Anastomotic System," Microsurgery, 1992;13:313-320.
	17OD	Li et al., "End-to-side-anastomosis in the Dog Using the 3M Precise Microvascular Anastomotic System: A Comparative Study," J Reconstruct Microsurg. 1991;7(4):345-350.
	18OD	Miller, "The Russian Stapling Device," Acad Sci, 1963;25:378-381.
	19OD	Nakayama et al., "A Simple New Apparatus for Small Vessel Anastomosis (free autograft of the sigmoid included)," Surgery, 1962;52(6):918-931.
	20OD	Narter et al., "An Experimental Method for Nonsuture Anastomosis of the Aorta," Surg Gyne & Obs, 1964;632-361.
	21OD	Nazari et al., "Expandable Prosthesis for Sutureless Anastomosis in Thoracic Aorta Prosthetic Substitution," European Journal of Cardiothoracic Surgery, Vol. 10, No. 11, 1996, pp.1003-1009.
	22OD	Olearchyk, "Vasilii I. Kolesov--A Pioneer of Coronary Revascularization by Internal Mammary-coronary Artery Grafting," J Thorac Surg. 1988;96(1):13-18.
	23OD	Ragnarsson et al., "Arterial End-to-side Anastomosis with the UNILINK System," Ann Plastic Surg, 1989;22(3):405-415.
	24OD	Ragnarsson et al., "Microvenous End-to-side Anastomosis: An experimental Study Comparing the UNILINK System and Sutures," J Reconstruct Microsurg. 1989;5(3):217-224.
	25OD	Rohman et al., Chapter IX--Cardiovascular Technique, "Double Coronary Artery-internal Mammary Artery Anastomoses, Tantalum Ring Technique," Surg Forum. 1960;11:263-243.
	26OD	J. Rosch et al., "Modified Gianturco Expandable Wire Stents in Experimental and Clinical Use", Annals of Radiology, 1998, 31, 2, pp. 100-104.
	27OD	Vogelfanger et al., "A Concept of Automation in Vascular Surgery: A Preliminary Report on a Mechanical Instrument for Arterial Anastomosis," Can J Surg. 1958;58:262-265.

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DATE CONSIDERED: